



Federal Communications Commission
Washington, D.C. 20554

Adopted December 10, 2002
Released December 10, 2002

Mr. David C. Cartwright
Director – Federal Regulatory
SBC Telecommunications, Inc.
1401 1 Street, NW, Suite 1100
Washington, DC 20005

RE: *SBC/Ameritech Merger Order*, CC Docket No. 98-141

Dear Mr. Cartwright:

This letter addresses SBC Telecommunications, Inc.'s (SBC) September 25, 2002 letter notifying the Commission that the California Public Utility Commission (California Commission) issued an order approving changes to the Joint Partial Settlement Agreement performance measures and requesting that the Wireline Competition Bureau (Bureau) apply these California Commission-approved changes to the Carrier-to-Carrier Performance Plan (Performance Plan) for California and Nevada.¹ In response to SBC's request, the Bureau allowed the California Commission-approved changes to automatically go into effect for the California Performance Plan. Pursuant to the *SBC/Ameritech Merger Order*, the Chief of the Bureau has the authority to determine at the next semi-annual review whether and when SBC will make these changes in Nevada.² SBC's request to apply the California Commission-approved changes to the Nevada Performance Plan at the same time as the California changes, beginning with September 1, 2002 activity, is hereby granted.³

SBC also seeks Bureau approval to clarify two typographical errors in the business rules. Specifically, SBC requests permission to clarify the geographic reporting area for Measurements 5c (Percentage Trouble in 10 days for Non-Special Services UNE orders and 30 Days for Special Services UNE Orders) and 8 (Average Completed Interval – (DSL)). Pursuant to the *SBC/Ameritech Merger Order*, SBC's request regarding the clarification of the typographical errors ~~is~~ also granted.⁴

If SBC disagrees with any of this letter's guidance, it may file an application for review with the Commission pursuant to section 1.115 of the Commission's rules.⁵

¹ Letter from David G. Cartwright, Director-Federal Regulatory, SBC, to Dorothy Attwood, Chief, Common Carrier Bureau, Federal Communications Commission, (September 25, 2002). The Commission adopted the Performance Plan in the *SBC/Ameritech Merger Order*. See *Applications of Ameritech Corp., Transferor, and SBC Communications, Inc., Transferee, For Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95, and 101 of the Commission's Rules*, CC Docket 98-141, Memorandum Opinion and Order, 14 FCC Rcd at 15040, App. C, Attach. A (1999) (*SBC/Ameritech Merger Order*).

² See *SBC/Ameritech Merger Order*, 14 FCC Rcd at 14712, Attach. A, para. 4

⁴ *Id.*

⁵ 47 C.F.R. § 1.115.

Please do not hesitate to contact me if I can be of further assistance. In addition, you may contact Bill Dever, Assistant Division Chief, Competition Policy Division in the Wireline Competition Bureau at (202)418-1578.

Sincerely,

A handwritten signature in dark ink, appearing to read "Carol E. Matthey", with a stylized flourish at the end.

Carol E. Matthey
Deputy Chief, Wireline Competition Bureau